

ON 4/18/19 MC

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO: 5:18-CR-196-FL-2

UNITED STATES OF AMERICA

V.

MARKEST FOYE,


Defendant.

ORDER

This matter is before the court with regard to Defendant's liberty status pending sentencing. At Defendant's arraignment, following his plea of guilty pursuant to a plea agreement to offenses arising under 21 U.S.C. §§ 841(a)(1) and 18 U.S.C. § 2, the government moved for detention pursuant to 18 U.S.C. § 3143(a). Defendant made no argument for release. After considering the positions of the parties, the court finds that: (1) exceptions to mandatory detention under 18 U.S.C. § 3143(a)(2)(A)(i) & (ii) do not apply, and (2) Defendant has failed to show by clear and convincing evidence that he is not likely to flee or pose a danger to the safety of any other person or the community. 18 U.S.C. § 3143(a)(2)(B). Finally, Defendant has otherwise failed to clearly show that there are exceptional reasons his detention is not appropriate under 18 U.S.C. § 3145(c).

Accordingly, Defendant is COMMITTED to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded reasonable opportunity for private consultation with counsel. On order of a court of the United States or on request of an attorney for the government, Defendant shall be delivered to a United States Marshals for the purpose of an appearance in connection with a court proceeding.

So ordered, the 18th day of April 2019.



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Robert B. Jones, Jr.  
United States Magistrate Judge